IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33928 of 2008
SUDHIR SINGH
S/O-Jamuna Singh, R/O-Vill-Chailaha, P.S.-Bonjaria, Distt.-East Champaran.
.....Petitioner.
Versus
STATE OF BIHAR

5/ 14.11.2008 Earlier prayer for bail of the petitioner was rejected.

Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner is accused of a case which has been registered under Sections 394, 411 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner is named accused of this case which has been registered on the basis of fardbeyan of informant Dashrath Mishra.

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Submission is that the petitioner is in custody since 14.07.2006. 12 witnesses have been examined before the Trial Court. Dashrath Mishra, Ganesh Paswan, Neeraj Singh, Subhash Narayan Singh, Dwarika Sah, Yogendra Sah, Prabhu Pandit, Ram Chandar Sah, Hari Narayan Singh, Ram Shakal Thakur, Shamsul Joha and Sheikh Sharif are the material witnesses and they have been declared hostile. The informant has been examined as P.W. 1 and he has not identified the petitioner rather he has stated that due to darkness the informant has not identified him. According to the report still six witnesses are yet to be examined.

Considering the facts and circumstances of the case, the petitioner Sudhir Singh is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like

amount each to the satisfaction of Shri Lal Bahadur Singh, Judicial Magistrate, First Class, Sadar Motihari, Distt.-East Champaran in connection with Trial No. 2008/08 arising out of Kotwa P.S. Case No. 64 of 2006.

kksinha/ **(Shyam Kishore Sharma, J.)**

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